

No. 9/5/84-6Lab/2786.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Ambala, in respect of the dispute between the workman and the management of M/s Globe Metal Industries, Haripura Street, Jagadhri (Ambala):—

IN THE COURT OF SHRI V.P. CHAUDHARY, PRESIDING OFFICER, LABOUR COURT, AMBALA (HARYANA)

Reference No. 20 of 1984

between

SHRI SADHU RAM, WORKMAN AND THE MANAGEMENT OF M/S GLOBE METAL INDUSTRIES, HARIPURA STREET, JAGADHRI (AMBALA)

Present :

Shri Rajeshwar Nath, for the workman.
Shri W. C. Sharma, for the respondent.

AWARD

The Hon'ble Governor of Haryan in exercise of the powers conferred,—*vide* clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, referred the following dispute between Shri Sadhu Ram, workman and the management of Messrs Globe Metal Industries, Haripura Street, Jagadhri (Ambala). The terms of the reference are as under :—

Whether the termination of services of Shri Sadhu Ram workman, was justified and in order ? If not, to what relief is he entitled to ?

Sadhu Ram workman alleged that he was in the service of respondent management with effect from 16th November, 1984. His services were terminated in violation of Section 25 (f) of the Industrial Disputes Act, 1947.

On receipt of notice respondent management appeared, filed written statement and contested the case. To-day parties submitted that they have compromised the dispute. Statement of parties recorded. Workman received Rs. 2,500 in my presence in cash, which satisfied the entire claim of the workman as per compromised. So I pass my award regarding the dispute in hand accordingly.

Dated the 12th March, 1985.

V. P. CHAUDHARY,
Presiding Officer,
Labour Court, Ambala.

Endst. No. 780, dated the 28th March, 1985

Forwarded (four copies) to the Financial Commissioner and Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

V. P. CHAUDHARY,
Presiding Officer,
Labour Court, Ambala.

No. 9/5/84-6Lab/2787.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Ambala, in respect of the dispute between the workman and the management of M/s Manohar Industries, Industrial Area, Near Subzi Mandi, Yamuna Nagar (Ambala):—

IN THE COURT OF SHRI V. P. CHAUDHARY, PRESIDING OFFICER, LABOUR COURT, AMBALA (HARYANA)

Reference No. 5 of 1985

between

SHRI MAHAVIR, WORKMAN AND THE MANAGEMENT OF M/S MANOHAR INDUSTRIES, INDUSTRIAL AREA, NEAR SUBZI MANDI, YAMUNA NAGAR (AMBALA)

Present :—

None for workman.
Shri Harish Chander, for respondent.

AWARD

The Hon'ble Governor of Haryana in exercise of the powers conferred,—*vide* clause (d) of sub-section (i) of section 10 of the Industrial Disputes Act, 1947, referred the following dispute between Shri Mahavir workman and the management of Messrs Manohar Industries, Industrial Area, Near Subzi Mandi, Yamuna Nagar (Ambala). The terms of the reference are as under :—

Whether the termination of services of Shri Mahavir workman was justified and in order ? If not, to what relief is he entitled to ?

Workman Shri Mahavir alleged that he was in the service of respondent. He met with an accident, his left hand thumb was cut thereafter he proceeded on leave and was never allowed to re-join the service. Respondent was served. Shri Harish Chander appeared for the respondent Management. Notice was also issued to workman but he did not appear inspite of service. Hence the reference is dismissed in default.

V. P. CHAUDHARY,

Dated the 12th March, 1985.

Presiding Officer,
Labour Court,
Ambala.

Endst. No. 781, dated 28th March, 1985

Forwarded (four copies) to the Financial Commissioner and Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

V. P. CHAUDHARY,
Presiding Officer,
Labour Court,
Ambala.

No. 9/5/84-6Lab/2802.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workman and the management of M/s Ajay Udyog (P) Ltd., Bahadurgarh (Rohtak) :—

BEFORE SHRI B. P. JINDAL, PRESIDING OFFICER, LABOUR COURT, ROHTAK

Reference No. 168 of 84

between

SHRI SATNU, WORKMAN AND THE MANAGEMENT OF M/S AJAY UDYOG (P) LTD.
BAHADURGARH (ROHTAK)

Present:—

Shri Dhan Singh, A. R. for the workman.

None for the respondent.

AWARD

1. In exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, the Governor of Haryana, referred the following dispute between the workman Shri Satnu and the management of M/s Ajay Udyog (P) Ltd., Bahadurgarh (Rohtak), to this Court, for adjudication,—*vide* Labour Department Gazette Notification No. 33565 70, dated 3rd September, 1984 :—

Whether the termination of services of Shri Satnu is justified and in order ? If not, to what relief is he entitled ?

2. After receipt of the order of reference, notices were sent to the parties. The workman appeared but the respondent did not appear inspite of service through registered notice. Since many references

are pending with the respondent, so, combined registered notice was sent to the respondent, which is tagged with reference file No. 166 of 1984. The respondent did not appear in spite of service and as such *ex parte* proceedings order was passed against him on 27th December, 1984.

3. The case of the workman is that he was employed with the respondent on 1st January, 1977 on general duties on monthly wages of Rs 375 but the respondent choose to terminate his services unlawfully without any prior notice or payment of any retrenchment compensation and as such the respondent contravened the provisions of section 25F of the Industrial Disputes Act, so, there is a prayer for reinstatement with continuity of service and full back wages.

4. As already observed the respondent did not appear in spite of service and as such *ex parte* proceedings order was passed against the respondent by me on 27th December, 1984.

5. In *ex parte* evidence, the workman appeared as his own witness as WW-1 and made a statement completely in corroboration of his claim. I, see no reason to disbelieve the sworn deposition made by the workman, which remains unrebutted, because the respondent did not appear to contest the claim of the workman. So, the workman is ordered to be reinstated with continuity of service and full backwages. The reference is answered and returned accordingly. There is no order as to cost.

Dated the 22nd March, 1985.

B. P. JINDAL,

Presiding Officer,

Labour Court, Rohtak.

Endst No. 168/84/545, dated the 29th March, 1985.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

B. P. JINDAL,

Presiding Officer,

Labour Court, Rohtak,

No. 9/5/84-6Lab./2804.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workman and the management of M/s S. S. Thread Mills, 30/8, Modern Industrial Estate Bahadurgarh :—

BEFORE SHRI B. P. JINDAL, PRESIDING OFFICER, LABOUR COURT, ROHTAK

Reference No. 3 of 83

between

SHRI MOHAMAD HADISH, WORKMAN AND THE MANAGEMENT OF M/S S. S. THREAD MILLS, 30/8, MODERN INDUSTRIAL ESTATE, BAHADURGARH.

Present:—

Shri Dhan Singh, A.R. for the workman.

Shri M. M. Kaushal, A.R. for the management.

AWARD

1. In exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, the Governor of Haryana, referred the following dispute, between the workman Shri Mohamad Hadish and the management of M/s S. S. Thread Mills, 30/8, Modern Industrial Estate, Bahadurgarh to this Court, for adjudication,—*vide* Labour Department Gazette Notification No. ID/RTK/ 172/82/57969-74 dated 31st December, 1983:—

Whether the termination of services of Shri Mohamad Hadish was justified and in order ? If not, to what relief is he entitled ?

2. On receipt of the order of reference, notices were issued to the parties. The parties appeared. The case of the workman is that he was a permanent employee of the respondent and was very regular in reporting for his duties but the respondent did not allow him to enter the factory premises on 25th July, 1981 against which, he filed a complaint with the local Labour Office but nothing came out and ultimately on 13th August, 1981 his services were terminated unlawfully in flagrant disregard of the provisions of the Industrial Disputes Act, 1947.

3. In the detailed reply, filed by the respondent, the claim of the workman was controverted in toto. The pleas projected need not be detailed, as this reference is being answered on grounds other than merits.

4. On the pleadings of the parties, the following issues were settled for decision by me on 23rd August, 1984:—

- (1) Whether the applicant abandoned his employment ?
- (2) Whether the workman has since settled his claim with the management on 8th August, 1983 ? If so, to what effect ?
- (3) Whether the workman remained gainfully employed after termination of his services ?
- (4) Whether the termination of service of Shri Mohammad Hadish was justified and in order ? If not, to what relief is he entitled ?

5. Before any evidence could be produced by the parties and after protracted parleys, a settlement was arrived at, whereunder, the workman choose to relinquish his entire claim after accepting a sum of Rs. 500 in full and final settlement. In that behalf his learned Authorised Representative has made a statement in the Court today. So, nothing survives adjudication. The reference is answered and returned accordingly. There is no order as to cost.

B. P. JINDAL,

Dated the 23rd March, 1985.

Presiding Officer,
Labour Court, Rohtak.

Endorsement No. 3/83/547, dated the 29th March, 1985.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

B. P. JINDAL,
Presiding Officer,
Labour Court, Rohtak.

No. 9/5/84-6 Lab./2805.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Rohtak in respect of the dispute between the workman and the management of M/s S. R. G. Electrical Pvt. Ltd., Bahadurgarh (Rohtak) :—

BEFORE SHRI B. P. JINDAL, PRESIDING OFFICER, LABOUR COURT, ROHTAK

Reference No. 27 of 1983

between

SHRI KAMESHWAR SINGH, WORKMAN AND THE MANAGEMENT OF M/S S. R. G.
ELECTRICAL PVT. LTD., BAHADURGARH (ROHTAK)

Present:—

Shri Chander Singh, A. R. for the workman.
None, for the management.

AWARD

1. In exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, the Governor of Haryana referred the following dispute between the workman

Shri Kameshwar Singh, and the management of M/s S.R.G. Electrical Pvt. Ltd., Bahadurgarh (Rohtak), to this Court for adjudication.—*vide* Labour Department Gazette Notification No. 10856-61, dated 21st March, 1984:—

Whether the termination of services of Shri Kameshwar Singh is justified and in order? If not, to what relief is he entitled?

2. After receipt of the order of reference, notices were sent to the parties. Both the parties appeared. The case of the workman is that he was working with the respondent in a permanent capacity for the last about one year on monthly wages of Rs. 360 and that he had proceeded on leave from 12th July, 1984 to 7th August, 1984, but when he returned from leave, he was not allowed to resume his duties and as such the respondent terminated his services unlawfully and a complaint in that behalf filed by him with the Labour Inspector, Bahadurgarh, proved abortive and as such, there is a prayer for reinstatement with continuity of service and full back wages.

3. The respondent appeared and filed a reply, controverting the claim of the petitioner in *toto*. Since this reference is being answered on grounds other than merits, so, I need not detail the pleas projected by the respondent.

4. After initial appearance, the respondent absented on 25th February, 1985 and as such, *ex parte* proceedings order was passed against the respondent by me on the said date.

5. In *ex parte* evidence, the workman appeared as his own witness and made a statement completely in corroboration of his claim. I see no reason to disbelieve the sworn deposition made by the workman, which remains unrebutted, because the respondent did not appear to contest the claim of the workman. So, the workman is ordered to be reinstated with continuity of service and full back wages. The reference is answered and returned accordingly. There is no order as to cost.

B. P. JINDAL,

Dated the 23rd March, 1985.

Presiding Officer,
Labour Court, Rohtak.

Endorsement No. 27/83/548, dated 29th March, 1985.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

B. P. JINDAL,

Presiding Officer,
Labour Court, Rohtak.

No. 9/5/84-6Lab./2806.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workman and the management of M/s B. K. & Co., c/o H.N.G. Industries Ltd., Bahadurgarh.

BEFORE SHRI B. P. JINDAL, PRESIDING OFFICER, LABOUR COURT, ROHTAK

Reference No. 243 of 1983

between

SHRI GAJE SINGH, WORKMAN AND THE MANAGEMENT OF M/S B. K. & CO., C/O H.N.G. INDUSTRIES LTD., BAHADURGARH

Present—

Shri K. D. Mandal, A. R. for the workman.

Shri M. M. Kaushal, A. R. for the management.

AWARD

1. In exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, the Governor of Haryana referred the following dispute between the workman Shri Gaje Singh and the management of M/s B. K. & Co., c/o H.N.G. Industries Ltd., Bahadurgarh, to this Court,

for adjudication,--wide Labour Department Gazette Notification No. 60356-61, dated 17th November, 1983:—

Whether the termination of services of Shri Gaje Singh is justified and in order ? If not, to what relief is he entitled ?

2. After receipt of the order of reference, notices were issued to the parties. The parties appeared. The case of the workman is that he was employed with the respondent in a permanent capacity as a Labourer for the last three years on monthly wages of Rs. 346 but the respondent chose to terminate his services on 24th January, 1982, after serving a charge-sheet on trumped up charges and thereafter holding a farce of enquiry. So, there was a prayer for reinstatement with continuity of service and full back wages.

3. The respondent in the reply filed, controverted the claim of the petitioner in toto. The pleas projected need not be detailed, as this reference is being answered on grounds other than merits.

4. On the pleadings of the parties, the following issues were framed for decision by me on 30th November, 1984:

- (1) Whether the reference is bad in law ? OPR
- (2) Whether a valid and proper domestic enquiry was held by the respondent ? OPR (Onus objected)
- (3) Whether the workman remained gainfully employed ? OPR
- (4) Whether the termination of services of Shri Gaje Singh is justified and in order ? If not, to what relief is he entitled ?

5. Before any evidence could be adduced, happily a settlement was arrived at, whereunder the workman chose to relinquish his claim of reinstatement and other reliefs after full and final settlement of his claim with the management. In that behalf, his learned authorised representative Shri K. D. Mandal has made a statement in the Court. So nothing survives for adjudication. The reference is answered and returned accordingly. There is no order as to cost.

B. P. JINDAL,

Dated the 23rd March, 1985.

Presiding Officer,
Labour Court, Rohtak.

Endst. No. 243/83/549, dated 29th March, 1985.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

B. P. JINDAL,
Presiding Officer,
Labour Court, Rohtak.

No. 9/5/84-6Lab/2807.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workman and the management of M/s Ajay Udyog (P) Ltd., Bahadurgarh (Rohtak).

BEFORE SHRI B. P. JINDAL, PRESIDING OFFICER, LABOUR COURT, ROHTAK

Reference No. 166 of 1984

between

SHRI MOHAMAD MUSTAQIM, WORKMAN AND THE MANAGEMENT OF M/S AJAY UDYOG (P) LTD., BAHADURGARH (ROHTAK)

Present—

Shri Dhan Singh, A.R. for the workman.
None for the respondent.

AWARD

1. In exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, the Governor of Haryana referred the following dispute between the workman Shri Mohamad Mustaqim and the management of M/s Ajay Udyog (P) Ltd., Bahadurgarh, to this Court for adjudication,—*vide* Labour Department Gazette Notification No. 33551-56, dated 3rd September, 1984 :—

Whether the termination of services of Shri Mohamad Mustaqim is justified and in order ? If not, to what relief is he entitled ?

2. After receipt of the order of reference, notices were sent to the parties. The workman appeared but the respondent did not appear inspite of service through registered notice which is on the file. The respondent did not appear inspite of service and as such, *ex parte* proceedings order was passed against him by me on 27th December, 1984.

3. The case of the workman is that he was employed with the respondent on 26th July, 1974 as Machineman on monthly wages of Rs 435 but the respondent chose to terminate his services unlawfully without any prior notice or payment of any retrenchment compensation and as such the respondent contravened the provisions of section 25-F of the Industrial Disputes Act, so there is a prayer for reinstatement with continuity of service and full back wages.

4. As already observed, the respondent did not appear inspite of service and as such *ex parte* proceedings order was passed against the respondent by me on 27th December, 1984.

5. In *ex parte* evidence, the workman appeared as his own witness as WW-1 and made a statement completely in corroboration of his claim. I see no reason to disbelieve the sworn desposition made by the workman, which remains unrebuted, because the respondent did not appear to contest the claim of the workman. So, the workman is ordered to be reinstated with continuity of service and full back wages. The reference is answered and returned accordingly. There is no order as to cost.

B. P. JINDAL,

Dated the 23rd March, 1985.

Presiding Officer,
Labour Court, Rohtak.

Endst No. 166-84/550, dated the 29th March, 1985.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour & Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

B. P. JINDAL,

Presiding Officer,
Labour Court, Rohtak.

No. 9/5/84-6Lab/2808.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workman and the management of M/s Ajay Udyog (P) Ltd., Bahadurgarh (Rohtak).

BEFORE SHRI B. P. JINDAL, PRESIDING OFFICER, LABOUR COURT, ROHTAK

Reference No. 167 of 1984

between

SHRI HARI RAM, WORKMAN AND THE MANAGEMENT OF M/S AJAY UDYOG (P)
LTD., BHADURGARH (ROHTAK)

Present :—

Shri Dhan Singh, A. R. for the workman.

None for the respondent.

AWARD

1. In exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, the Governor of Haryana referred the following dispute between the workman Shri Hari Ram and the management of M/s Ajay Udyog (P) Ltd., Bahadurgarh, to this Court, for adjudication,—*vide* Labour Department Gazette Notification No. 33558-63, dated 3rd September, 1984 :—

Whether the termination of services of Shri Hari Ram is justified and in order ? If not, to what relief is he entitled ?

2. After receipt of the order of reference, notices were sent to the parties. The workman appeared but the respondent did not appear in spite of service through registered notice. Since many references are pending with the respondent, so combined registered notice was sent to the respondent, which is tagged with reference file No. 166 of 198. The respondent did not appear in spite of service and as such *ex parte* proceedings order was passed against him by me on 27th December, 1984.

3. The case of the workman is that he was employed with the respondent on 12th June, 1979, as pressman on monthly wages of Rs. 450 but the respondent chose to terminate his services unlawfully without any prior notice or payment of any retrenchment compensation and as such the respondent contravened the provisions of section 25. F of the Industrial Disputes Act, so, there is a prayer for reinstatement with continuity of service and full back wages.

4. As already observed the respondent did not appear in spite of service and as such *ex parte* proceedings order was passed against the respondent by me on 27th December, 1984.

5. In *ex parte* evidence, the workman appeared as his own witness as WW-1 and made a statement completely in corroboration of his claim. I see no reason to disbelieve the sworn deposition made by the workman, which remains unrebutted, because the respondent did not appear to contest the claim of the workman. So, the workman is ordered to be reinstated with continuity of service and full back wages. The reference is answered and returned accordingly. There is no order as to cost.

B. P. JINDAL,

Dated the 23th March, 1985.

Presiding Officer,
Labour Court, Rohtak,

Endst. No. 167-84/551, dated the 29th March, 1985.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Department, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

B. P. JINDAL,

Presiding Officer,
Labour Court, Rohtak.

No. 9/5/84-6Lab/2809.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workman and the management of M/s Ajay Udyog (P) Ltd., Bahadurgarh (Rohtak) :—

BEFORE SHRI B. P. JINDAL, PRESIDING OFFICER, LABOUR COURT, ROHTAK

Reference No. 170 of 1984

between

SHRI JHABOO LAL, WORKMAN AND THE MANAGEMENT OF M/S AJAY UDYOG
(P) LTD., BAHADURGARH (ROHTAK)

Present :—

Shri Dhan Singh, A. R. for the workman.

None for the respondent.

AWARD

1. In exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, the Governor of Haryana referred the following dispute between the workman Shri Jhaboo Lal, and the management of M/s Ajay Udyog (P) Ltd., Bahadurgarh, to this court, for adjudication,—*vide* Labour Department Gazette notification No. 33579—84, dated 3rd September, 1984 :—

Whether the termination of services of Shri Jhaboo Lal is justified and in order? If not, to what relief is he entitled?

2. After receipt of the order of reference, notices were sent to the parties. The workman appeared but the respondent did not appear in spite of service through registered notice. Since many references are pending with the respondent, so, combined registered notice was sent to the respondent, which is tagged with reference file No. 166 of 84. The respondent did not appear in spite of service and as such *ex parte* proceedings order was passed against him by me on 27th December, 1984.

3. The case of the workman is that he was employed with the respondent on 20th January, 1980 as Cutter on monthly wages of Rs. 385 but the respondent choose to terminate his services unlawfully without any prior notice or payment of any retrenchment compensation and as such the respondent contravened the provisions of section 25-F of the Industrial Disputes Act, so, there is a prayer for reinstatement with continuity of service and full back wages.

4. As already observed, the respondent did not appear in spite of service and as such *ex parte* proceedings order was passed against the respondent by me on 27th December, 1984.

5. In *ex parte* evidence, the workman appeared as his own witness as WW-1 and made a statement completely in corroboration of his claim. I see no reason to disbelieve the sworn deposition made by the workman, which remains unrebutted, because the respondent did not appear to contest the claim of the workman. So the workman is ordered to be reinstated with continuity of service and full back wages. The reference is answered and returned accordingly. There is no order as to cost.

B. P. JINDAL,

Dated the 23rd March, 1985.

Presiding Officer,
Labour Court, Rohtak.

Endorsement No. 170/84/552, dated the 29th March, 1985

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

B. P. JINDAL,

Presiding Officer,
Labour Court, Rohtak.

No. 9/5/84-6Lab./2810.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workman and the management of M/s Ajay Udyog (P) Ltd., Bahadurgarh (Rohtak).

BEFORE SHRI B. P. JINDAL, PRESIDING OFFICER, LABOUR COURT, ROHTAK

Reference No. 171 of 84

between

SHRI SANT RAM, WORKMAN AND THE MANAGEMENT OF M/S. AJAY UDYOG (P) LTD., BAHADURGARH (ROHTAK)

Shri Dhan Singh, A. R., for the workman.

None for the respondent.

AWARD

1. In exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, the Governor of Haryana referred the following dispute, between the workman Shri Sant Ram, and the management of M/s. Ajay Udyog (P) Ltd., Bahadurgarh, to this Court, for adjudication,—vide Labour Department Gazette Notification No. 33586—91, dated 3rd September, 1984:—

Whether the termination of services of Shri Sant Ram is justified and in order? If not, to what relief is he entitled?

2. After receipt of the order of reference, notices were sent to the parties. The workman appeared but the respondent did not appear inspite of service through registered notice. Since many references are pending with the respondent, so combined registered notice was sent to the respondent, which is tagged with reference file No. 166 of 84. The respondent did not appear in spite of service and as such *ex parte* proceedings order was passed against him by me on 27th December, 1984.

3. The case of the workman is that he was employed with the respondent on 1st January, 1977 as Cutter on monthly wages of Rs. 390 but the respondent choose to terminate his services unlawfully without any prior notice or payment of any retrenchment compensation and as such the respondent contravened the provisions of section 25-F of the Industrial Disputes Act, so there is a prayer for reinstatement with continuity of service and full back wages.

4. As already observed, the respondent did not appear in spite of service and as such *ex parte* proceedings order was passed against the respondent by me on 27th December, 1984.

5. In *ex parte* evidence, the workman appeared as his own witness as WW-1 and made a statement completely in corroboration of his claim. I see no reason to disbelieve the sworn deposition made by the workman, which remains unrebutted, because the respondent did not appear to contest the claim of workman. So, the workman is ordered to be reinstated with continuity of service and full back wages. The reference is answered and returned accordingly. There is no order as to cost.

B. P. JINDAL,

Presiding Officer,
Labour Court, Rohtak.

Endorsement No. 171-84/553, dated the 29th March, 1985.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

B. P. JINDAL,

Presiding Officer,
Labour Court, Rohtak.

No. 9/5/84-6Lab./2811.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workman and the management of M/s. Ajay Udyog (P) Ltd., Bahadurgarh (Rohtak)

BEFORE SHRI B. P. JINDAL, PRESIDING OFFICER, LABOUR COURT, ROHTAK

Reference No. 172 of 84

between

SHRI VIJAY BAHADUR, WORKMAN AND THE MANAGEMENT OF M/S AJAY
UDYOG (P) LTD., BAHADURGARH (ROHTAK)

Shri Dhan Singh, A. R., for the workman.

None for the respondent,

AWARD

1. In exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, the Governor of Haryana referred the following dispute between the workman Shri Vijay Bahadur and the management of M/s Ajay Udyog (P) Ltd., Bahadurgarh, to this Court, for adjudication,—*vide* Labour Department Gazette Notification No. 33593—98, dated the 3rd September, 1984 :—

Whether the termination of services of Shri Vijay Bahadur is justified and in order ? If not, to what relief is he entitled ?

After receipt of the order of reference, notices were sent to the parties. The workman appeared but the respondent did not appear in spite of service through registered notice. Since many references are pending with the respondent, so combined registered notice were sent to the respondent, which is tagged with reference file No. 166 of 84. The respondent did not appear in spite of service and as such *ex parte* proceedings order was passed against him by me on 27th December, 1984.

3. The case of the workman is that he was employed with the respondent on 1st January, 1981 as Furnaceman on monthly wages of Rs 375 but the respondent choose to terminate his services unlawfully without any notice or payment of any retrenchment compensation and as such the respondent contravened the provisions of section 25-F of Industrial Disputes Act, so there is a prayer for reinstatement with continuity of service and full back wages.

4. As already observed the respondent did not appear in spite of service and as such *ex parte* proceedings order was passed against the respondent by me on 27th December, 1984.

5. In *ex parte* evidence, the workman appeared as his own witness as WW-1 and made a statement completely in corroboration of his claim. I see no reason to disbelieve the sworn deposition made by the workman, which remains unrefuted, because the respondent did not appear to contest the claim of the workman. So the workman is ordered to be reinstated with continuity of service and full back wages. The reference is answered and returned accordingly. There is no order as to cost.

Dated the 23rd March, 1985.

B. P. JINDAL,
Presiding Officer,
Labour Court, Rohtak.

Endst. No. 172/84/554, dated the 29th March, 1985

Forwarded (four copies) to the Secretary to Government, Haryana, Labour & Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

B. P. JINDAL,
Presiding Officer,
Labour Court, Rohtak.

No. 9/5/84-6Lab./2812.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workman and the management of M/s Ajay Udyog (P) Ltd., Bahadurgarh (Rohtak),

BEFORE SHRI B. P. JINDAL, PRESIDING OFFICER, LABOUR COURT, ROHTAK

Reference No. 173 of 84

between

SHRI RAM BHOR, WORKMAN AND THE MANAGEMENT OF M/S AJAY UDYOG (P)
LTD., BAHADURGARH (ROHTAK)

Shri Dhan Singh, A.R., for the workman.

None, for the respondent.

AWARD

1. In exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, the Governor of Haryana referred the following dispute, between the workman

Shri Ram Bhor, and the management of M/s. Ajay Udyog (P) Ltd., Bahadurgarh to this Court, for adjudication,—*vide* Labour Department Gazette Notification No. 33600—05, dated 3rd September, 1984:—

Whether the termination of services of Shri Ram Bhor is justified and in order? If not, to what relief is he entitled?

2. After receipt of the order of reference, notices were sent to the parties. The workman appeared but the respondent did not appear in spite of service through registered notice. Since many references are pending with the respondent, so combined registered notice was sent to the respondent, which is tagged with reference file No. 166 of 84. The respondent did not appear in spite of service and as such *ex parte* proceedings order was passed against him by me on 27th December, 1984.

3. The case of the workman is that, he was employed with the respondent on 1st January, 1974 as Machineman on monthly wages of Rs. 540 but the respondent choose to terminate his services unlawfully without any prior notice or payment of any retrenchment compensation and as such the respondent contravened the provisions of section 25-F of the Industrial Disputes Act, so there is a prayer for reinstatement with continuity of service and full back wages.

4. As already observed, the respondent did not appear in spite of service and as such *ex parte* proceedings order was passed against the respondent by me on 27th December, 1984.

5. In *ex parte* evidence, the workman appeared as his own witness as WW-1 and made a statement completely in corroboration of his claim. I, see no reason to disbelieve the sworn disposition made by the workman, which remains unrefuted, because the respondent did not appear to contest the claim of the workman. So the workman is ordered to be reinstated with continuity of service and full back wages. The reference is answered and returned accordingly. There is no order as to cost.

B. P. JINDAL,

Dated the 23rd March, 1985.

Presiding Officer,
Labour Court, Rohtak.

Endst. No. 173/84/555, dated the 29th March, 1985

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

B. P. JINDAL,

Presiding Officer,
Labour Court, Rohtak.

No. 9/5/84-6-Lab./2813.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workman and the management of M/s. Ajay Udyog (P) Ltd., Bahadurgarh (Rohtak).

BEFORE SHRI B.P. JINDAL, PRESIDING OFFICER, LABOUR COURT,
ROHTAK

Reference No. 174 of 84

between

SHRI RADHEY SHYAM, WORKMAN AND THE MANAGEMENT OF M/S AJAY
UDYOG (P) LTD., BAHADURGARH (ROHTAK)

Shri Dhan Singh, A.R., for the workman.
None for the respondent.

AWARD

1. In exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, the Governor of Haryana referred the following dispute between the workman

Shri Radhey Shyam and the management of M/s. Ajay Udyog (P) Ltd., Bahadurgarh, to this Court, for adjudication,—*vide* Labour Department Gazette Notification No. 33607—12, dated 3rd September, 1984 :—

“Whether the termination of services of Shri Radhey Shyam is justified and in order ? If not, to what relief is he entitled ?

2. After receipt of the order of reference, notices were sent to the parties. The workman appeared but the respondent did not appear in spite of service through registered notice. Since many references are pending with the respondent, so, combined registered notice was sent to respondent, which is tagged with reference file No. 166 of 84. The respondent did not appear in spite of service and as such *ex parte* proceedings order was passed against him by me on 27th December, 1984.

3. The case of the workman is that he was employed with the respondent on 1st September, 1979 as Machineman on monthly wages of Rs. 625 but the respondent choose to terminate his services unlawfully without any prior notice or payment of any retrenchment compensation and as such, the respondent contravened the provisions of section 25.F of the Industrial Disputes Act, so, there is a prayer for reinstatement with continuity of service and full back wages.

4. As already observed the respondent did not appear in spite of service and as such, *ex parte* proceedings order was passed against the respondent by me on 27th December, 1984.

5. In *ex parte* evidence, the workman appeared as his own witness as WW-1 and made a statement completely in corroboration of his claim. I, see no reason to disbelieve the sworn deposition made by the workman, which remains unrebutted, because the respondent did not appear to contest the claim of the workman. So, the workman is ordered to be reinstated with continuity of service and full back wages. The reference is answered and returned accordingly. There is no order as to cost.

Dated the 23rd March, 1985.

B. P. JINDAL,

Presiding Officer,
Labour Court, Rohtak.

Endorsement No. 174/84/556, dated the 29th March, 1985.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

B. P. JINDAL,

Presiding Officer,
Labour Court, Rohtak.

No. 9/5/84-6Lab/2814.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak in respect of the dispute between the workman and the management of M/s Hissar Textile Mills, Hissar :—

BEFORE SHRI B. P. JINDAL, PRESIDING OFFICER, LABOUR COURT, ROHTAK

Reference No. 26 of 84

between

SHRI HARNAM DASS, WORKMAN AND THE MANAGEMENT OF M/S. HISSAR
TEXTILE MILLS, HISSAR

Present :—

Shri T. C. GUPTA, A. R., for the workman.

Shri S. C. Jain, A. R., for the management.

AWARD

1. In exercise of the powers conferred by clause (e) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, the Governor of Haryana, referred the following dispute between the workman Shri Harnam Dass and the management of M/s. Hissar Textile Mills, Hissar, to this Court, for adjudication,—*vide* Labour Department, Gazette Notification No. 9092—97, dated 2nd March, 1984 :—

Whether the termination of services of Shri Harnam Dass is justified and in order ? If not, to what relief is he entitled ?

2. After receipt of the order of reference, notices were issued to the parties. The parties appeared. The case of the workman is that he was in the employment of the respondent for the last 5 years as a Draffer on monthly wages of Rs 550 and that the respondent has terminated his service without any lawful excuse or complying with the provisions of the Industrial Disputes Act, 1947.

3. A detailed reply was filed by the respondent controverting the claim of the petitioner *in toto*. Since this reference is being answered on grounds other than merits, so, I need not detail the places projected by the respondent.

4. On the pleadings of the parties, the following issues were settled for decision by me on 18th October, 1984 :—

- (1) Whether the proper demand notice has been raised upon the respondent ? OPA.
- (2) Whether the demand notice is pre-mature on the ground the workman has not exhausted the procedure of screening committee as per the terms of the settlement ? OPR.
- (3) Whether the respondent mills have since been closed ? If so, to what effect ? OPR.
- (4) Whether a valid and proper enquiry has been held by the respondent before terminating the service of the workman ? OPR.
- (5) Whether the termination of services of Shri Harnam Dass is justified and in order ? If not, to what relief is he entitled ?

5. Before any evidence could be produced by the parties, happily a settlement Ex. P-1 was arrived at,—*vide* which, the workman has fully and finally settled his claim with the management and as such, now, nothing survives for adjudication. In that behalf statements of the learned Authorised Representative of the workman Shri T. C. Gupta and Assistant Law Officer of the respondent Shri S. C. Jain have been recorded. So, the reference is answered and returned accordingly. There is no order as to cost.

Dated, the 26th March, 1985.

B. P. JINDAL,

Presiding Officer,
Labour Court, Rohtak,
Camp Court, Hissar.

Endst. No. 26/84/558, dated the 29 March, 1985.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

B. P. JINDAL,

Presiding Officer,
Labour Court, Rohtak,
Camp Court, Hissar.